

EXAMINER'S AMENDMENT

- 1) An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
- 2) Authorization for this examiner's amendment was given in a telephone interview with Wayne Bailey, Reg. No. 34,289 on September 14, 2011.
- 3) The application is amended as follows:

Amendments to the Claims:

The claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A method at a server for facilitating a remote boot process at a client, wherein the client and the server reside on a network, the method comprising the steps of:
 - receiving, at the server, a dataset of load information associated with an execution load at a boot server;
 - in response to receiving the dataset of load information, ordering a list of multiple boot server addresses based on the received dataset of load information and based on previously received datasets of load information;
 - receiving, at the server, a first file transfer request initiated by a remote boot process at the client;
 - in response to receiving the first file transfer request, sending a file comprising the ordered list of multiple boot server addresses to the client.

2. (Original) The method of claim 1, further comprising, prior to the step of receiving the first file transfer request:

receiving, at the server, a boot service discover message from the client; and
in response to receiving the boot service discover message, sending a boot service acknowledgment message to the client.

3. (Original) The method of claim 1, further comprising, prior to the step of receiving the first file transfer request:

receiving, at the server, a second file transfer request from the client; and
in response to receiving the second file transfer request, sending an initial network bootstrap program to the client, wherein the initial network bootstrap program, when executed at the client, generates the first file transfer request.

4. (Original) A method at a server for facilitating a remote boot process at a client, wherein the client and the server reside on a network, the method comprising the steps of:

receiving, at the server, a boot file transfer request initiated by a remote boot process at the client;
in response to receiving the boot file transfer request, sending a file to the client;
monitoring an execution load at the server;
generating a dataset containing load information associated with the execution load at the server; and
sending the generated dataset to another server.

5. (Currently Amended) An apparatus for facilitating a remote boot process at a client on a network, the apparatus comprising a data processor coupled to a memory having stored therein instructions ~~that are operable~~, when executed by the data processor, to perform steps of:

receiving a dataset of load information associated with an execution load of a boot server;

ordering, in response to receiving the dataset of load information, a list of multiple boot server addresses based on the received dataset of load information and based on previously received datasets of load information;

receiving a first file transfer request initiated by a remote boot process at the client; and
sending, in response to receiving the first file transfer request, a file comprising the ordered list of multiple boot server addresses to the client.

6. (Currently Amended) The apparatus of claim 5 further comprising instructions ~~that are operable~~ to perform steps of:

receiving a boot service discover message from the client; and
sending a boot service acknowledgment message to the client in response to receiving the boot service discover message.

7. (Currently Amended) The apparatus of claim 5 further comprising instructions ~~that are operable~~ to perform steps of:

receiving a second file transfer request from the client; and
sending an initial network bootstrap program to the client in response to receiving the second file transfer request, wherein the initial network bootstrap program, when executed at the client, generates the first file transfer request.

8. (Currently Amended) A data processing system for facilitating a remote boot process on a network, the data processing system comprising a first server comprising a first data processor coupled to a first memory, and a second server comprising a second data processor coupled to a second memory, wherein the first memory has stored therein first instructions ~~that are operable~~, when executed by the first data processor, to perform steps of:

receiving, at the first server, a dataset of load information associated with an execution load of the second server;

ordering at the first server, in response to receiving the dataset of load information, a list of multiple boot server addresses based on the received dataset of load information and based on previously received datasets of load information;

receiving at the first server a first file transfer request initiated by a remote boot process at a client; and

sending, in response to receiving the first file transfer request, a file comprising the ordered list of multiple boot server addresses to the client from the first server; and wherein the second memory has stored therein second instructions ~~that are operable~~, when executed by the second data processor, to perform steps of:

receiving at the second server a boot file transfer request from the client;

sending a file to the client in response to receiving the boot file transfer request;

monitoring an execution load at the second server;

generating a dataset containing load information associated with the execution load at the second server; and

sending the generated dataset to the first server.

9. (Currently Amended) A computer program product stored on a ~~computer-readable storage medium~~ memory for use in a server for facilitating a remote boot process at a client, wherein the client and the server reside on a network, the computer program product comprising:

instructions to receive, at the server, a dataset of load information associated with an execution load at a boot server;

instructions to order, in response to receiving the dataset of load information, a list of multiple boot server addresses based on the received dataset of load information and based on previously received datasets of load information;

instructions to receive, at the server, a first file transfer request initiated by a remote boot process at the client;

instructions to send, in response to receiving the first file transfer request, a file comprising the ordered list of multiple boot server addresses to the client.

10. (Currently Amended) The computer program product of claim 9 further comprising:
instructions to receive, at the server, a boot service discover message from the client; and
instructions to send, in response to receiving the boot service discover message, a boot service acknowledgment message to the client.

11. (Currently Amended) The computer program product of claim 10 further comprising:
instructions to receive, at the server, a second file transfer request from the client; and
instructions to send, in response to receiving the second file transfer request, an initial network bootstrap program to the client, wherein the initial network bootstrap program, when executed at the client, generates the first file transfer request.
12. (Previously Presented) The method of claim 1, wherein the previously received datasets of load information are received from a plurality of different boot servers.
13. (Previously Presented) The method of claim 12, wherein the server is a central server, and further comprising:
executing a plurality of instances of the central server, wherein each instance of the plurality of instances receives the datasets of load information from each of the plurality of different boot servers.
14. (Previously Presented) The method of claim 13, wherein a central server daemon process runs on each of the plurality of instances of the central server and receives the datasets of load information from each of the different boot servers.
15. (Previously Presented) The method of claim 2, wherein the boot service acknowledgment message indicates an internet protocol (IP) address of the server and a file name of an initial boot program.
16. (Previously Presented) The data processing system of claim 8, further comprising instructions that are operable to perform steps of:
receiving, at the first server, a boot service discover message from the client; and
in response to receiving the boot service discover message, the first server sending a boot service acknowledgment message to the client.

17. (Previously Presented) The data processing system of claim 16, wherein the boot service acknowledgment message indicates an internet protocol (IP) address of the first server and a file name of an initial boot program.

18. (Previously Presented) The data processing system of claim 8, further comprising instructions that are operable to perform steps of:

receiving, at the server, a second file transfer request from the client; and

in response to receiving the second file transfer request, sending an initial network bootstrap program to the client, wherein the initial network bootstrap program, when executed at the client, generates the first file transfer request.

19. (Previously Presented) The apparatus of claim 5, wherein the previously received datasets of load information are received from a plurality of different boot servers, wherein the server is a central server, and further comprising instructions that are operable to perform a step of:

executing a plurality of instances of the central server, wherein each instance of the plurality of instances receives the datasets of load information from each of the plurality of different boot servers.

20. (Previously Presented) The computer program product of claim 5, wherein the previously received datasets of load information are received from a plurality of different boot servers, wherein the server is a central server, and further comprising:

instructions to execute a plurality of instances of the central server, wherein each instance of the plurality of instances receives the datasets of load information from each of the plurality of different boot servers.

Reason for Allowance

The following is an examiner's statement of reasons for allowance:

None of the prior art of records teach or suggest in combination features as stated in the Examiner's Amendment Section. None of the prior art of records teach or suggest the features stated in the Examiner's Amendment Section in combination with independent claims.

While the Examiner has thoroughly reviewed the claims and has not located any errors, Applicant is encouraged to independently verify that the claims contain no typographical errors and that all claim terms have proper antecedent basis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAREN C. TANG whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOON H. HWANG can be reached on (571)272-4036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Karen C Tang/
Primary Examiner, Art Unit 2447